IN THE HIGH COURT OF JUDICATURE AT BOMBAY

NAGPUR BENCH, NAGPUR.

LETTERS PATENT APPEAL NO. 192 OF 2007

Smt. Taibai Deshmukh .vs. Mahadeo Deshmukh

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrars orders.	Court's or Judge's orders.

CORAM: A.P. LAVANDE & R.V. MORE, JJ.

DATED : SEPTEMBER 11, 2007.

Heard Mr. Mohokar, learned Counsel for appellant and Mr. Bhide, learned Counsel for the respondent.

The present Letters Patent Appeal is filed against the order of learned Single Judge passed on 24.7.2007 in Writ Petition No. 2780/07. The subject matter of the Writ Petition before the learned Single Judge was the order passed below Exh.3 in Regular Civil Application No. 18/07 rejecting stay during pendency of appeal which came to be filed against the order dated 28.3.2007 passed by the Civil Judge, Junior Division on Exhs. 69 & 72 in execution proceedings.

We are of considered view that Letters Patent Appeal against the aforesaid order passed by learned Single Judge is not maintainable. Mr. Bhide, learned Counsel for the respondent, however, makes a statement that he will not execute the decree passed in Regular Civil Suit No. 207/89 till

24.9.2007. The statement of Mr. Bhide is accepted.

In view of the abovesaid facts, the Letters Patent Appeal is dismissed with no order as to costs.

J. **JUDGE.** **JUDGE.**